



**THOMAS J. PASTUSZKA**  
CMC, CCB  
EXECUTIVE OFFICER/CLERK

**County of San Diego**  
**AIR POLLUTION CONTROL DISTRICT HEARING BOARD**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2471

TELEPHONE (619) 531-5434  
FAX (619) 531-6098

**STATEMENT OF PROCEEDINGS**  
**SAN DIEGO COUNTY**  
**AIR POLLUTION CONTROL DISTRICT HEARING BOARD**  
**Regular Meeting, Thursday, September 26, 2013**

**ADMINISTRATIVE ITEM:**

- A.** Approval of Minute Orders of September 12, 2013.

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board approved the minutes of September 12, 2013.

- B.** Adoption of 2014 Regular Meeting Schedule for Air Pollution Control District Hearing Board.

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Member Smith, the Air Pollution Control District Hearing Board adopted the 2014 Regular Meeting Schedule.

- C.** To address Petitioner's (ANTHONY OGLE, an individual and dba KING CONCRETE, KING READY MIX, INC., DANIEL MILLER, an individual and dba MOUNTAIN WEST AGGREGATE, MILLER HORN, LLC., and CHARLES L. HORN) request for a rehearing of Abatement Order 4402 and decide if a rehearing should be granted.

**ACTION:**

ON MOTION of Member Tonner, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board granted the rehearing of Abatement Order 4402 only to rehear who is contained/named on the abatement order. The balance of the order remains in full force effect. Everybody is bound by the order until the rehearing (on the parties involved only).

- D.** Submission of Quarterly Progress Report dated September 20, 2013 from Granite Construction Incorporated, pertaining to Petition No. 4376.

**ACTION:**

ON MOTION of Member Tonner, seconded by Member Gabrielson, the Air Pollution Control District Hearing Board accepted the Quarterly Progress report.

**Petition No.**

**4403 ILLUMINA, INC:** Requests a Regular Variance (filed August 13, 2013) from District Rules 20.2, 21 & 1200, pertaining to Permit No. APCD2011-APP-001685 regarding 2 Oligonucleotide synthesizer line control devices that failed the NOx emission limit and possibly toxic air contaminant levels during source test, located at 5200 Illumina Way, San Diego CA 92122.

**ACTION:**

ON MOTION of Member Gabrielson, seconded by Chair Rappolt, the Air Pollution Control District Hearing Board accepted the Petitioner's withdrawal dated September 20, 2013.

**LAST MATTER OF BUSINESS:**

Opportunity for members of the Public to speak to the Board on any subject matter within the Board's jurisdiction but not on an item on today's Agenda. (Five minutes total will be allocated; each speaker's presentation may not exceed one minute and may not relate to pending litigation.)

**ACTION: NO SPEAKERS**

**ASSISTANCE FOR THE DISABLED:**

Agendas and records are available in alternative formats upon request. Contact the Clerk's office at **(619) 531-5434 (voice) or (619) 531-4803 (TTY)**. Assistive Listening Devices (ALDs) are available from the Clerk of the Board in Room 402 prior to the meeting, and are to be returned at the end of the meeting. Individuals requiring sign language interpreters should contact the Americans with Disabilities Coordinator at **(619) 531-5205**, in advance of the meeting so that arrangements may be made. An area in the front of the chamber is designated for individuals requiring the use of wheelchair or other accessible devices.